

In The United States District Court for the
Western District of Pennsylvania
Erie Division

Reginald Thaddeus Gilbert Bey, et al
Plaintiff,

vs

Civil Action No.: 05-69 Erie

United States of America, Inc., et al.

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JUN - 1 2005

Pleading An Addendum of current pleas before

this court seeking additional injunctive relief

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Now Comes Reginald Thaddeus Gilbert Bey, plaintiff seeking immediate injunctive relief from this honorable court. Plaintiff completely understands, that the procedural administrative mandate of a two-hundred and fifty (\$250.00) dollar, filing fee is foremost, in precedent, and an obligation, binding upon this court, in consideration of any decision, or to even entertain; allowing plaintiff's current pleadings to be adjudicated by this court.

Plaintiff, well understands his responsibility to pay such fee, especially because, plaintiff's life is in immediate danger. However, plaintiff, since, February 10, 2005 has been denied access to use of the telephone for several weeks. And currently since his transfer to UCL, McKean; November 17, 2005 to the present, has been held under increasingly, unconstitutional persecution by authorities at UCL, McKean. Who have covertly and surreptitiously, restricted his ability to communicate with the outside world; including tampering with both out-going and in-coming mail. Deny plaintiff the ability to contact those, who may help him pay the filing fee.

However, plaintiff now, desperately prays, that this court will issue an order, of injunctive relief, to the degree that

plaintiff, will daily, be allowed an opportunity to contact sources, who God willing, will afford him the needed charity in the cost of the two-hundred and fifty dollars filing fee.

However, plaintiff in earnest plea hopes, that this court will not ignore, the very real possibility of saving plaintiff's life.

Now, plaintiff immediately prays, that based on the following, abject conditions of inhumane, cruel and unusual punishment, that this court, given its powerful constitutional authority will grant and issue orders, which can save his life.

After considering the previous, and following pleas, and relief requested thereafter:

- 1) Since February 10, 2005 at approximately 8:00am, plaintiff has been in Special Housing Unit (SHU). For being the "ringleader" of a institutional "food strike"; which did not transpire until approximately 11:00am of this same day.
- 2) Bureau Of Prison (BOP) authorities, since that time have been acting in a systematic manner, which has placed plaintiff's life in imminent, immediate, and pending; present and future danger and threats of harm. As such placing plaintiff's life in immediate danger.
- 3) By spreading rumors through its agent provocateurs and confidential informants, that plaintiff (I, me, his, or him) confidentially implicated over approximately seventy (70) other prisoners or so. Who are members of various organizations and gangs.

- 4) While, also spreading said rumors through that Muslim Community; in addition one, that plaintiff had been caught by staff with flyers promoting the food strike. And due to such, plaintiff had endangered the entire Community, and is the cause of his Community being intensely scrutinized and persecuted.
- 5) While the approximately, seventy (70) or more prisoners were and/or are still in SHU; after plaintiff was brought in.
- 6) From February 10, to the present 2005, prison authorities, in a furious, irate acts of reprisals and vicious retaliations exact brutal heartships; upon the entire inmate population.
- 7) In gestapo SS fashion and tactics; i.e. starting at midnight, raiding housing units, literally snatching inmates up out of their sleep, marching them in ice and snow (at times with little, or no clothing) in full escort of full armed, Special Operations Response Teams (SORT) to SHU. Obviously imbuing in such prisoners a state of shock, panic, and fear.
- 8) When all of these prisoners, with the Muslims outnumbering any other group, were, and still are in SHU with plaintiff. Placed in immediate proximity; in cells (overcrowded, forcing plaintiff to sleep on the floor for literally months.), in indoor rooms and outdoor recreational cages with plaintiff.
- 9) All the while, and to date, authorities, i.e. Special Investigations Services (SIS) Lieutenants, Childs and Pfister have been mendaciously and maliciously conducting interviews, threatening, coercing, instigating and soliciting; by privately and selectively continuing to interview inmates. Contriving fictitious fabrications and inciting false

stating; targeting plaintiff and certain other inmates. And rewarding some of those who cooperate with releases from SHU, others with postage stamps (that had been confiscated) and other unknown rewards. In other words, denoted authorities have been conducting a "witch hunt" systematically emphasizing, and directly implicating plaintiff as guilty.

- 10) All the white authorities, created the most abjectly inhumane, harsh, and severe conditions of torment, (some of which has been detailed in exhibit 3C.) by in part, denying any hot food; serving only bread of one cheese, and one bologna sandwich, for several weeks; while keeping locked in ten, eight, four (in SHU), and three, inmates deep, in unconstitutional areas, denying clean laundry, no showers, no visits, no telephone calls, no commissary (thus no postage stamps), and no out of cell recreation; being locked down 24-7, the entire inmate population for months, literally.
- 11) All the white surreptitiously, subversively, and sublimely releasing information, promising relief, and soliciting inmates to blame and indicate ("Gilbert Bey") plaintiff, the Muslims, and other targeted individuals; in exchange for relief.
- 12) By literally, stating to inmates, "... what did Gilbert Bey tell... you?" "... Gilbert Bey gave you a flyer about the food strike, didn't he..."; (to Muslims the following) "... you don't know what, Gilbert Bey is capable of...", "... Gilbert Bey is not a good Muslim... and the cause... of you being in SHU...". Plaintiff has presented a few exhibits 4A to 4C, and has several non Muslims and Muslims, who (forced willing) swear and testify to much more.
- 13) When inmates interviewed by S-4's lieutenants would not comply

with their objectives and provide them with statements against plaintiff, such inmates were actually thrown in SHU, or left, in SHU, under, increasing, object torture.

- 14) Other authorities, known to be directly (in fact to be the primary administrators, overseers, and organizers of such atrocity) involved are Associate Warden, Gary Grimm, and Chief Psychologist, Dr. Pheinhart, whom have engineered and supervised, directly this entire, horrendous experience
- 15) Consequently, plaintiff's life has literally been threatened, by Muslims, gangs/organizations, such as the Crips, Bloods, G.I.'s or Gangster Disciples, Vice Lords, Mexican Mafia, Azteca, Texas Syndicate, and lesser known gangs/families. Including members of the Nation of Islam, the 5% Nation and other Black Nationalist organizations.
- 16) Such threats that, I will be killed. . . wherever, I go; I will be beaten, stabbed; that a "hit" is on my life; that if, I indicate certain inmates, who are already blamed for the food strike, that my family will be harmed and/or killed. Unless, I stood up and take the blame, and confess. At times I have overheard inmates talking, among themselves and not including me, however talking about me; at other times I have received notes, and I have been also told such directly.
- 17) As a partial, result of such, on May 17, 2005 in the evening, after dinner, plaintiff declared a hungerstrike. And was consequently, moved out of a cell with three inmates and only two bunks. To a isolation cell (C 202) on May 19, 2005. One of the previously inmates, has been labeled as a leader, and promoter of the food strike; an alleged member of the Gangster Disciples, and the Nation of Islam. who plaintiff, witnessed, him ~~discipl~~ discussing his and others suspicion that

plaintiff is "the rat" or informant.

- 18) On May 19, 2005, plaintiff along with several other inmates were given incident reports (Please see Exhibit 6A, a handwritten copy of the original report.); plaintiff has been informed by other inmates that approximately eighteen (18) incident reports were issued, while twice that many still remain SHU, under the guise of being held for the food strike also.
- 19) On May 20, 2005, Associate Warden (AW) Gary Grimm, and Dr. Rheinhart, came to the isolation cell (C-202), and compelled (forced) plaintiff to speak with them. Under the surreptitious auspicious of inquiring about plaintiff's hunger strike, and physical as well as mental health.
- 20) Plaintiff, presented the incident report (IR) to AW, Grimm, and repeatedly proclaimed his innocence, and reiterated my plea for a polygraph examination. Dr. Rheinhart, obtained the IR from AW, Grimm. Both officials attentively read the IR; Dr. Rheinhart, spending the most time with it, taking physical notes, and constantly shaking his head in disagreement regarding, how it was written.
- 21) Sometime after the Warden, James V. Sherman, and denoted officials, departed from the front of the cell; all water was turned off to the cell.
- 22) Plaintiff is currently being denied, again all telephone call access, since approximately May 18, 2005. Also all of my remaining legal property has been confiscated, without notice, and kept in the office of Gary Buck, Counselor (Very much a principle in collusion with all other authorities (Known and unknown), who are, immedi-

ately imposing cruel, unusual, unconstitutional conditions: harming and endangering plaintiff's life.), knowingly denying me access to due process of pleadings to the courts, and immediate defense of prevailing persecution. Additionally, Gary Buck has continued to deny plaintiff responses to "Inmate to Staff request; and surreptitiously denied all access to administrative grievance proceedings; regarding plaintiff's property (while he was withholding such all the time.); in conjunction with the aforementioned authorities, Deanna M. Tronetti, Unit Manager; R. Moore, Case Manager (All of whom (with G. Buck) comprise, plaintiff's institutional management team.), and Penny Sundgren, Inmate Systems Manager (i.e. Inmate telephone system, property, records, and mailroom).

23) On May 20, 2005 plaintiff was notified, that all IIR which been issued on May 19, 2005, regarding the food strike of February 10, 2005 by SJS, St. Plister, had been suspended and would be re-written, "soon".

24) On May 25, 2005, plaintiff was told by SKU officers, that "the Doctor... wants to see you...". However, upon escort to the auxiliary clinic in SKU, plaintiff saw AW, Grimmer, and Lr. Rheinhardt, and immediately requested to return to the cell, and was denied. Taken into the clinic, plaintiff also saw a Dr. Beane (Bean, Beem or Beam), M.D., who seem to express genuine concern regarding plaintiff's physical condition; also informing plaintiff that "... sometime next week..." During the week of May 29, 2005, that plaintiff would be force fed by, feeding tubes through the nose.

25) Plaintiff notified that as a result of severe sinusitis, in 1999, plaintiff submitted to laser surgery, in an effort to try to create better breathing. Plaintiff, generally still, can not

adequately breath through both nasal passages. And daily suffers nose bleeds, which medical authorities have ignored. Assuredly, any tubes inserted in plaintiff's nose, when in fact create more damage.

26) In the aforementioned meeting in SHU clinic; AW, Grimm, informed plaintiff that all IR were suspended, and that such would be re-written, and that plaintiff would be in fact, be getting another IR. (Plaintiff reasonably surmises that such "re-writing" is directly related to both authorities being displeased with how plaintiff's was written.) Dr Rheinhart, observed plaintiff's overall actions for much of the time; without comment; until the conclusion of this meeting with plaintiff, and "one-on-one" stated to plaintiff, that he would be found guilty, and although plaintiff was not involved, that plaintiff's "actions as perceived by others" is the cause of the pending charges.

27) On May 24, 2005 (Tuesday) at approximately, 2:30pm, plaintiff was thrown in cell #201, C-range, a "dry cell" with no water, no toilet facilities; denied recreation, and other access (i.e. law library).

28) After 12:00am, every night, until, after approximately 5:30-6:00am, all cell door SHU keys are completely removed. Whereby denying access to release my body waste, or drink any water, because even in the case of an emergency no cell door keys are available in SHU.

29) Plaintiff is being kept in this condition, in SHU; instead of being placed in the Health Services clinic (which is a mandate of BOP policy); where he can be monitored best. In to continue to persecute and exacerbate debilitating, life threatening conditions.

30) In SHU, staff is not equipped, nor provided, enough manpower

to monitor plaintiff 24-7, provide water, nor the opportunity to relieve body waste. Plaintiff kept here incites and engenders frustrated hostility from staff, toward plaintiff. Now where in JCS McKean is it equipped for any prisoner committed and reconciled to a permanent hunger strike?

- 31) Such conditions at JCS, McKean, overwhelmingly physically, psychologically, and spiritually have induced a state of urgent duress, anguish, fear, trauma, and debilitating deteriorating health.
- 32) In brief, plaintiff, cannot even perform obligatory, nor voluntary acts of worship, due to the current, inhumane conditions of confinement and object torture. Because, I must clean myself, after releasing body waste. Any acts of worship mandate a clean environment, and it is essential to use water throughout the entire day; plaintiff has not been provided any sanitation supplies since being thrown into this cell. Plaintiff must purify his clothing and body, et cetera, etc., twenty-four hours, seven days a week.

Requested Injunctive Relief

Plaintiff, ardently prays, that this court with its authority, will in its human compassion, and before the Lord and Creator of the human race; intervene, and save this lowly inmates life by granting and issuing the following orders:

- 1) That any forced feeding of plaintiff by force, be video taped and viewed by the court. And no tubes, or any other instruments be inserted in plaintiff's nasal passage.
- 2) That all requested copies from plaintiff's Inmate Central File be provided without cost to him.
- 3) That a immediate stay, and/or suspension of all pending institutional disciplinary charges and findings of guilt.

4) That a polygraph examination be given by a independent and objective source.

5) That a independant, internal investigation of all claims and allegations of authorities and plaintiff's claims of facts; including interview-inmates which plaintiff will present to the court.

6) Grant plaintiff a order(s):

a) For a immediate transfer to JAIL, Lexington, Kentucky to general population. Lexington is in plaintiff's release-residence Region; and a Administrative prison, which has a primary mission of housing medical prisoners. Where plaintiff's overall medical, including asbestos and EJS poisoning can be cared for.

b) With a order to allow plaintiff to completely inventory any and all remaining property any place held at JAIL, McKeen.

c) to include that such property is to be physically sealed in plaintiff's presence; and either transferred immediately with plaintiff or transfer, before out of McKeen, plaintiff is transferred.

Further Plaintiff pleads not.

On this 26th day of May 2005

Reginald J. Gilbert Bey

Reginald J. Gilbert Bey

Reg. No. 03854-078

Federal Correctional Institution

McKeen, P.O. Box 8000

Bradford, Pennsylvania 16701

file

Exhibit 6A

Incident Report

Federal Bureau of Prisons

1. Name Of Institution: Federal Correctional Institution, McKean County, Pa.
2. Name Of Inmate: Gilbert Bey, Reginald
3. Register Number 03854-078
4. Date Of Incident February 09, 2005
5. Time: 6:30pm
6. Place Of Incident Chapel
7. Assignment DET UNH
8. Unit BB
9. Engaging in or Encouraging a Group Demonstration
10. Code 212
11. Description Of Incident (Date: 5/19/05 Time: 2:30pm Staff become aware of incident)

On May 19, 2005, an investigation was concluded into your involvement in the Food Strike that took place on February 10, 2005 at FCI McKean. Gilbert Bey #03854-078 brought other inmates to a meeting with Muslim Community in the Chapel speaking your support of a Food Strike. When asked to leave the meeting you continued your discussion with the promoters of the Food Strike explaining to them how to conduct it.

Date And Time

5/19/05

3:00pm

13. Name And Title (Printed)

L. G. Pfister

Lieutenant

Certificate Of Service

I, Reginald W. Gilbert Bey, do hereby swear, that passing the enclosed (10 page), "Pleading An Addendum of current pleas before this court seeking additional injunctive relief"; pleading to a Bureau Of Prison official; from Special Housing Unit, cell: 201, C-~~pleas~~²⁷⁶⁵ range. By a sealed, pre-postage paid envelope, Certified Mail receipt: # 7004 2510 0002 1428 0292; addressed to the Clerk of the court, U.S. District Court, P.O. Box 1820, Erie, Pennsylvania 16507

This 25th day of May 2005

Reginald W. Gilbert Bey
Signature of Declarant

The Honorable Clerk Of The Court
United States District Court
P.O. Box 1220
Erie, Pennsylvania 16507

26 May 2005

Civil Action No.: 05-68 Erie

RE: Gilbert Bey v. USA, Inc., et. al; pleading enclosed.

Dear Clerk:

Please, provide me with a copy of the eleven page enclosure, within this envelope; I am in the Special Housing Unit (SHU) since February 10, 2005, and denied access to such.

Please, file this pleading with the court.

Again, I thank you, very much, in advance.

Sincerely yours,
Reginald V. Gilbert Bey
Reginald V. Gilbert Bey
Reg. No. 03854-078
Federal Correctional Institution, McKean
P.O. Box 8000
Bradford, Pennsylvania 16701

Enclosures:

10 - Page Pleading
Certificate of Service
Exhibit 6A